

These are draft minutes and are subject to change until approved by the County Council.

## **Salt Lake County Council**

### Committee of the Whole

#### **~MINUTES~**

Tuesday, February 13, 2018

[9:00 AM](#)

#### Council Members

##### Present:

Jennifer Wilson  
Richard Snelgrove<sup>1</sup>  
Arlyn Bradshaw  
Michael Jensen  
Steven DeBry  
Max Burdick  
Aimee Winder Newton, Chair

##### Excused:

Jim Bradley  
Sam Granato

#### State of the County Address

**Mayor Ben McAdams** delivered the 2018 State of the County address. He stated the state of the County is strong, and its leaders continue to solve problems. He commended committed employees, the Clark Planetarium, Library Services, Parks and Recreation Services, the Center for the Arts, and the Public Works and Municipal Services Department for their services, the efforts of the County's fleet to improve air quality, and the accomplishments of the Human Services Department, Criminal Justice Services Division, District Attorney's Office, and Sheriff's Office on Operation Rio Grande. Business partner collaborations include supporting infrastructure in collaboration with the Wasatch Front Regional Council and Envision Utah; working with Camp Kearns on a road paving project; building out a regional bike network to improve air quality; partnering with the Salt Lake County Housing Authority to bolster affordable housing; and private public partnerships, such as with Mountain America Credit Union on the renaming of the South Towne Exposition Center.

Goals this year are to develop a long-range plan for the Mountain View Corridor, and to design and construct a multi-modal transportation network for the Northwest Quadrant; address homelessness through the buildout of three new homeless resource centers and services provided to those in need by Aging and Adult Services, as well as the Office of Regional Transportation, Housing & Economic Development in bringing forward affordable housing units; continued efforts to address the opioid epidemic and to ensure public safety; and new undertakings for economic development.

---

<sup>1</sup> Participated electronically.

These are draft minutes and are subject to change until approved by the County Council.

Committee of the Whole  
Tuesday, February 13, 2018

◆◆◆ ◆◆◆ ◆◆◆ ◆◆◆ ◆◆◆

[The Council recessed at 9:30 AM, and reconvened at 1:51:51 PM]

◆◆◆ ◆◆◆ ◆◆◆ ◆◆◆ ◆◆◆

Citizen Public Input

No one appeared for Citizen Public Input.

◆◆◆ ◆◆◆ ◆◆◆ ◆◆◆ ◆◆◆

Review of New Hires ([1:52:06 PM](#))

**Mr. Brad Kendrick**, Budget & Policy Analyst, Council Office, reviewed the following new hires:

<u>Agency</u>	<u>Position</u>
<i>Solid Waste Management Division</i>	Administrator & Fiscal Manager 18
<i>Information Services Division</i>	Business Technology Partner 19
<i>Aging &amp; Adult Services Division</i>	Secretary 10 Time-limited Case Manager
<i>District Attorney's Office</i>	Civil Attorney 18
<i>Sheriff's Office</i>	Part-time Medical Transcriptionist 11 Corrections Specialist 11 Cash Accounting Specialist 10
<i>Library Services Division</i>	2 Part-time Customer Service Specialists 10 Librarian 14
<i>Salt Lake County Health Department</i>	Community Cleanup Coordinator 15
<i>Animal Services Division</i>	Special Events & Humane Education Supervisor 13

◆◆◆ ◆◆◆ ◆◆◆ ◆◆◆ ◆◆◆

Interim Budget Adjustment ([1:52:22 PM](#))

These are draft minutes and are subject to change until approved by the County Council.

Committee of the Whole  
Tuesday, February 13, 2018

**Mr. Brad Kendrick**, Budget & Policy Analyst, Council Office, reviewed the following interim budget adjustment request, which has been placed on the Council agenda for formal consideration:

*Surveyor's Office*

Interim budget adjustment to transfer \$6,255 from the Dedicated Corner Preservation Account to acquire Google Imagery and supporting services.

**Council Member Jensen, seconded by Council Member Bradshaw, moved to approve the interim budget adjustment and forward it to the 4:0 p.m. Council meeting for ratification. The motion passed unanimously. Council Members DeBry and Wilson were absent for the vote.**



Legislative Updates ([1:53:05 PM](#))

*H.B. 324 Tobacco Regulations Amendments – Rep. Bradley Last* ([1:53:23 PM](#))

*This bill amends municipal and county business license practices for a retail tobacco specialty business; amends the definition of smoking in the Utah Indoor Clean Air Act; requires a tobacco retailer to obtain a permit from the local health department; establishes requirements for a tobacco retail permit application; establishes the standards that a local health department shall apply when determining whether to issue a permit to a tobacco retailer; provides penalties for violations of tobacco permitting requirements; and changes the fee provisions for certain tax commission licenses for cigarettes, tobacco products and electronic cigarette products.*

**Ms. Kara Trevino**, Legislative Director, Council Office, stated last year, the Council took a position to support this bill, but it did not make it through the process.

**Mr. Gary Edwards**, Director, Salt Lake County Health Department, stated this bill requires a tobacco retailer to have a permit from the Health Department in addition to a tobacco license. The Health Department has a responsibility to do enforcement work around the sale of tobacco to minors, and it currently has little ability to enforce anything if there is a violation.

**Council Member Jensen, seconded by Council Member Burdick, moved to reaffirm the Council's position to support H.B. 324. The motion passed unanimously. Council Members DeBry and Wilson were absent for the vote.**

These are draft minutes and are subject to change until approved by the County Council.

Committee of the Whole  
Tuesday, February 13, 2018

- - - - -

*H.B. 171 Motor Vehicle Emissions Amendments – Rep. Angela Romero ([1:54:44 PM](#))*

*This bill amends the penalties for a vehicle that violates the emission standards; requires a law enforcement agency to report repeat offenders of emission standards to the local health department; requires the local health department to report repeat offenders of emission standards to the Motor Vehicle Division*

**Mr. Gary Edwards**, Director, Salt Lake County Health Department, stated currently, if a gasoline motor vehicle is emitting a lot of smoke, the driver can be cited and that individual may have to pay some monetary penalties. This bill takes that same approach with diesel powered vehicles. Law enforcement will be required to report this citation to the Health Department. If a second report is made, the Motor Vehicle Division will be notified and the registration for the vehicle could be pulled. In between the two violations, the Health Department would work with the vehicle owner and the station where the emission test was done to make sure that something was not wrong with the vehicle since that test or to see if the vehicle had been tampered with

**Council Member Bradshaw, seconded by Council Member Jensen, moved to support H.B. 171. The motion passed unanimously. Council Member Wilson was absent for the vote.**

- - - - -

*S.B. 161 Nurse Home Visiting Pay-for-success Program – Sen. Luz Escamilla ([1:56:10 PM](#))*

*This bill creates an evidence-based Nurse Home Visiting Pay-for-Success Program within the Department of Health; describes the requirements of the nurse home visiting pay-for-success program; provides that the program is funded through a contractual relationship between the Department of health and one or more pilot program; provides for success payments to investors if performance goals outlined in the pay-for-success contract are met by the program; makes changes to the Nurse Home Visiting Restricted Account; creates a reporting requirement; and sets a sunset date for the new program.*

**Mr. Gary Edwards**, Director, Salt Lake County Health Department, stated this bill would establish a pay-for-success program using \$25 million over 5 years. He requested the Council's support of this bill.

**Council Member Burdick** asked who would pay for this program.

**Mr. Edwards** state an outside group. Once it proves successful, the State would pay that group back.

These are draft minutes and are subject to change until approved by the County Council.

Committee of the Whole  
Tuesday, February 13, 2018

**Council Member Jensen, seconded by Council Member DeBry, moved to support S.B. 161. The motion passed unanimously. Council Member Wilson was absent for the vote.**

- - - - -

*H.B. 332 Local Government Financial Amendments – Rep. Stephen Handy ([1:57:23 PM](#))*

*This bill encourages a local district with a certain budget to obtain liability insurance; modifies the balance a local district may accumulate in the district's general fund; allows a certain county or municipality to share revenue other than sales tax for a municipal services district purpose and provides for the use of that revenue*

**Ms. Kara Trevino**, Legislative Director, Council Office, stated incorporated in this bill are provisions that the County included in Sen. Karen Mayne's Metro Township bill.

**Council Member Jensen, seconded by Council Member Bradshaw, moved to support H.B. 332. The motion passed unanimously. Council Member Wilson was absent for the vote.**

- - - - -

*S.B. 91 Animal Welfare Amendments – Sen. Gene Davis ([1:58:26 PM](#))*

*This bill makes it a crime to leave an animal tethered or unattended, under certain conditions, in a manner that prevents the animal from reaching shelter*

**Ms. Talia Butler**, Director, Animal Services Division, stated this bill articulates that an animal cannot be tethered in inclement weather where it cannot reach shelter. The bill is very specific about what a shelter is. There are not a lot of issues with this bill because the Animal Services Division already enforces as this bill indicates. However, one concern is the bill says that a shelter cannot be a vehicle. There are a lot of homeless people who live in vehicles with their animals. So this might be a problem.

**Council Member Bradshaw** stated a dog is usually not tethered in a car; the dog is with its owner.

**Ms. Butler** stated if an animal is left at home unattended and tethered it has to be able to reach shelter. The bill gives specifics on the weather - under 32 degrees or above 85 degrees, or in rain hail, snow or winds over 40 mph. The Humane Society is really pushing for this bill.

These are draft minutes and are subject to change until approved by the County Council.

Committee of the Whole  
Tuesday, February 13, 2018

**Council Member Newton** stated she would prefer the Council take a position to monitor this bill. She supports this bill, but feels like it is a local issue.

**Council Member Bradshaw** stated humane treatment is not a local issue, These are just standards for humane treatment of animals, which should be statewide.

**Council Member Bradshaw, seconded by Council Member Wilson, moved to support S.B. 91. The motion passed unanimously.**

- - - - -

*S.B. 164 Transportation Funding Amendments – Sen. Wayne Harper ([2:02:12 PM](#))*

This bill requires the Department of Transportation to present a report regarding the status of the County of the First Class Highway Projects fund to certain county and municipal leaders, certain legislative committees, and certain legislative leadership; requires county and municipal leaders to prioritize and rank proposed projects for disbursement of money within the fund; and requires approval from the infrastructure and General Government Appropriations Subcommittee prior to disbursement of the funds.

**Ms. Kara Trevino**, Legislative Director, Council Office, stated this bill outlines a process of prioritizing the quarter-of-a-quarter tax. The process outlined is that all executives in the County would submit their list to the Council of Governments (COG), which would prioritize the list and forward it to the Infrastructure and General Government Appropriation Subcommittee for final approval. The Utah Department of Transportation (UDOT) would then disburse those funds.

**Council Member Jensen, seconded by Council Member Bradshaw, moved to oppose S.B. 164.**

**Council Member Bradshaw** stated he disagrees with the process. The County legislative body should not be cut out. The County already administers large funds and has processes laid out to do so.

**Council Member Jensen** stated the County legislative body put the quarter-of-a-quarter sales tax issue on the ballot. It is technically County money. The Council has to be involved.

**Council Member Snelgrove** stated it is not appropriate that the County legislative body be cut out of the equation. Council Members represent the municipalities and

These are draft minutes and are subject to change until approved by the County Council.

Committee of the Whole  
Tuesday, February 13, 2018

citizens of Salt Lake County and need to be involved in the process. There needs to be greater transparency and greater accountability and that will come about by including the legislative branch of County government.

**Council Member Jensen** stated most of the municipalities in the valley use a council/manager form of government. He asked if the manager would be the person to make recommendations.

**Ms. Trevino** stated the bill indicates it would be the county executives.

**Council Member Snelgrove** asked that Ms. Trevino keep him informed regarding any hearings on this bill. He would like to express his sentiments that it is important this be more transparent and that the legislative body not be cut out of the equation.

**Ms. Trevino** stated yes; she would inform Council Member Snelgrove if an opportunity arose. The committee was not supportive of this bill, so it would probably be amended.

**Council Member Jensen, seconded by Council Member Bradshaw, moved to oppose S.B. 164. The motion passed unanimously.**

**Council Member Newton** stated all Council Members feel strongly that the legislative body not be cut out of the process. She asked the lobbyists to make sure the sponsors are aware of this.

**Council Member Jensen** requested that Council Member Snelgrove let the sponsors know the Council unanimously opposed this bill.

[Later in the meeting [2:30:34 PM](#)]

**Mayor Ben McAdams** stated he opposes this bill. He would support a bill that gives the County the flexibility to create a process similar to the way it handles the Tourism Recreation, Cultural, and Convention (TRCC) or the Zoo, Arts, & Parks (ZAP) funds. The County could create a board comprised of mayor's and others to look through recommendations. The Mayor and Council Members were elected to be responsible stewards of tax dollars, so they need to have a meaningful role in deciding how those tax dollars are spend.

**Council Member Newton** stated she thought COG would be a great group to make some of the decisions on the funding. It already has a committee in place so the County would not have to create a different committee where some cities might not have any representation.

These are draft minutes and are subject to change until approved by the County Council.

Committee of the Whole  
Tuesday, February 13, 2018

**Council Member Jensen** stated he would not like to send this to COG. He likes the TRCC or ZAP ideas. If this bill moves forward, then the County needs to be diligent to make sure verbiage put in that would include everyone, including the metro townships.

**Mayor McAdams** stated he would not include COG because when reviewing the applications and deciding the funding it could be very intensive work for several months and then nothing for a long time. He did not think COG would appreciate the County commendeering its meetings for several months. COG would be a place to solicit input, recommendations, and applications.

- - - - -

*HCR 12 Concurrent Resolution calling upon Congress to Assure a Complete and Accurate 2020 Census – Rep. Rebecca Chavez-Houck ([2:08:14 PM](#))*

*This resolution acknowledges Utah's reliance upon census data for political, business, and social welfare purposes; expresses concern that Congress has underfunded the 2020 Census; expresses concern that rural residents and marginalized communities are at risk of being undercounted by the 2020 Census; and urges Congress to adequately fund the 2020 Census to ensure a complete and accurate count.*

**Ms. Kara Trevino**, Legislative Director, Council Office, stated this resolution calls upon Congress to ensure a complete and accurate 2020 census. This does not involve any funding from the County. Federal funding is based upon population numbers so this is important to Salt Lake County.

**Council Member Newton** asked how the resolution would help with funding.

**Council Member Bradshaw** stated there is concern that the census has been underfunded in the proposed federal budget.

**Council Member Newton** stated so the Legislature is trying to lobby the Federal Government to make sure it is fully funded.

**Council Member Wilson** stated a huge segment of the population that does not self report is DACA and immigrants. There is not enough effort to capture the correct number.

**Ms. Karen Hale**, Deputy Mayor of Community and External Affairs, stated the County has a concern for underserved communities, but the resolution is for the State. There is a concern that the rural counties are at risk of being undercounted.

**Council Member Bradshaw**, scolded by **Council Member Jensen**, moved to support HCR 12. The motion passed unanimously.



These are draft minutes and are subject to change until approved by the County Council.

Committee of the Whole  
Tuesday, February 13, 2018

- - - - -

*H.B. 376 Interlocal Provision of Law Enforcement – Rep. Daniel McCay ([2:10:29 PM](#))*

*This bill requires that an interlocal agreement between a county and one or more municipalities to provide law enforcement service requires or appoints a certain individual to provide or direct law enforcement service, depending on the county classification.*

**Ms. Kara Trevino**, Legislative Director, Council Office, stated the Council already took a position in favor of the concept of this bill. This bill states the Chief of the Unified Police Department (UPD) will be determined by the interlocal agreement in counties of the first class.

**Council Member DeBry** stated for the record, he will be abstaining from this vote. He is employed by the UPD.

**Council Member Bradshaw** asked what interlocal agreement this bill referred to - the one between the County and the UPD, the ones between the municipalities and UPD or if there was just one interlocal agreement.

**Mr. Jason Rose**, Legal Counsel, Council Office, stated the bill referred to the interlocal between the County and the municipalities that are members of the UPD.

**Ms. Trevino** stated she thought there was just one interlocal between the entities and UPD.

**Mr. Harry Souvall**, Chief Legal Counsel, Unified Police Department, stated there is only one interlocal agreement that all entities signed off on. The interlocal agreement can be amended, but all entities would need to sign off on any change.

**Council Member Bradshaw** asked what the term was for the existing interlocal agreement.

**Mr. Souvall** stated the term is for 50 years, but can be terminated by the members on a one-year notice.

**Council Member Bradshaw** stated he would like to remain neutral on this bill.

**Council Member Newton** stated she is very supportive of this change; it gives the board the authority to choose its executive.

These are draft minutes and are subject to change until approved by the County Council.

Committee of the Whole  
Tuesday, February 13, 2018

**Council Member Jensen, seconded by Council Member Burdick, moved to support H.B. 376. The motion passed 4-2-1 with Council Members Wilson and Bradshaw voting in opposition and Council Member DeBry abstaining.**

- - - - -

*Appropriation* ([2:20:51 PM](#))

*Domestic Violence, Essential Victim Services Funding - \$1,480,110*

**Ms. Kara Trevino**, Legislative Director, Council Office, stated this would be an ongoing appropriation and would go to nonprofit domestic violence shelters.

**Council Member Wilson, seconded by Council Member Jensen, moved to support this appropriation. The motion passed unanimously.**

- - - - -

Bills Previously Discussed ([2:22:47 PM](#))

*H.B. 209 Mental Health Protections for First Responders – Rep. Karen Kwan*

*This bill defines “first responders”; and makes amendments regarding a first responder’s workers’ compensation claim due to mental stress*

**Ms. Darcy Goddard**, Deputy District Attorney, stated last week, the Council voted to table any decision on this bill for one week in order to give the District Attorney’s Office additional time to get more information. Since that time, she has had conversations with a number of stakeholders and there is consensus that this is a solution in search of a problem. It would be useful to have some hard numbers to know whether Workers’ Compensation claims are being denied for mental health services for first responders. The Utah Chiefs of Police Association is trying to convince Rep. Kwan that the better way to go with this bill is to refer it to interim study. The Chiefs Association has concerns about the possible increase of Workers’ Compensation premiums. One problem with this bill is there is no disincentive to getting all mental health treatment services through Workers’ Compensation instead of the normal private health care insurance. This cost would be passed through to all local entities with an increased cost of Workers’ Compensation coverage.

**Council Member Bradshaw, seconded by Council Member Wilson, moved to actively support sending H.B. 209 to the interim committee. The motion passed unanimously.**

- - - - -

These are draft minutes and are subject to change until approved by the County Council.

Committee of the Whole  
Tuesday, February 13, 2018

*H.B.373 Waste Management Amendments - Rep. Lee B. Perry* [2:27:33 PM](#)

*These amendments are in response to the 2017 H.B. 115, which limited the criteria the Department of Environmental Quality (DEQ) could use for fees that resulted in one per ton fee. The bill would establish additional criteria for DEQ to consider when setting the annual fee schedule. Currently, it does not have to be uniform and equal, or consider class of permit, the public purpose served, the division staff time spent on oversight of the facility, or compliance burdens and risk factors.*

**Ms. Kara Trevino**, Legislative Director, Council Office, stated the Council took a position to support this bill. This bill came about as a result of H.B. 115 from last year. If it does not pass then the County's landfill fees would increase from \$33,000 to roughly \$100,000. This increase would be passed onto residents of Salt Lake County.

- - - - -

*S.B. 175 Metro Township Modifications - Sen. Karen Mayne* [\(2:29:52 PM\)](#)

*This is a clean-up bill. It changes metro township chair to metro township mayor. It requires only one County Council member on the Greater Salt Lake Municipal Services District Board. It also clarifies that all revenues can be shared by the GSLMSD, and the GSLMSD can perform administrative functions on behalf of the metro townships.*

**Ms. Kara Trevino**, Legislative Specialist, Council Office, stated this is the metro township clean-up bill. This bill has provisions that clean up and make it work for the Municipal Services District (MSD) with revenue sharing so the MSD can perform administrative services for the metro townships. This bill names the metro township chairs as the metro township mayors.

**Council Member Newton** stated the Council has already taken a position to support this bill.

◆◆◆ ◆◆◆ ◆◆◆ ◆◆◆ ◆◆◆

Municipal Services District Resolution [\(2:37:00 PM\)](#)

The Council reviewed the following resolution and agreement. The resolution authorizing execution of the agreement has been placed on the Council agenda for ratification:

These are draft minutes and are subject to change until approved by the County Council.

Committee of the Whole  
Tuesday, February 13, 2018

*Greater Salt Lake Municipal Services District* regarding general manager services.

**Ms. Alison Weyher**, Senior Policy Advisor, Public Works & Municipal Services Department, stated in 2018, the Greater Salt Lake Municipal Services District (GSLMSD) allocated additional funding to hire a full-time administrative assistant to help the General Manager. This is a time-limited, at-will position. It only exists as long as the GSLMSD funds it. When the GSLMSD stops reimbursing the County for the position, the FTE will be eliminated. There are two different interlocal agreements between Salt Lake County and the GSLMSD: one for general services and one for operating services/general manager services. The latter agreement is the one being amended and it requires Council approval.

**Council Member Jensen, seconded by Council Member Burdick, moved to approve the resolution and agreement and to forward them to the 4:00 p.m. Council meeting for ratification. The motion passed unanimously.**

◆◆◆ ◆◆◆ ◆◆◆ ◆◆◆ ◆◆◆

Canyon Center Community Development Project Area CDA ([2:39:26 PM](#))

**Mr. Stuart Clason**, Director, Economic Development, gave an overview of the County's participation in the Canyon Center Community Development Project Area CDA, located on Wasatch Boulevard in Cottonwood Heights. Salt Lake County became involved in the CDA when Cottonwood Heights took over the project area, at which time, it transferred \$1.9 million that had been collected in tax incremental dollars. Since then, it saw an opportunity to get a regional parking structure at the base of Big and Little Cottonwood Canyons, and use transportation dollars. The County will be transferring \$6 million to the Cottonwood Heights Redevelopment Agency, but it will be paid back from tax increment generated from the project area. The goal is to set a public hearing for February 27, 2018, and have final documents ready for that date if the Council approves it.

**Mr. Chris McCandless**, developer, handed out information showing depictions of the project, and explained the history of it, which began in 2007 when the property was purchased for hotels. He has been working on it since 2011, and it has changed since then. The concept is to create private public partnerships, and partially resolve some of the canyon parking issues that exist. The parking structure will be situated underneath all the condominium units there. In addition to the condominiums, there will be a distillery, hotel, and office buildings. The office buildings will use 282 parking stalls Monday through Friday from 8:00 a.m. to 5:00 p.m., but the stalls will be vacant evenings, weekends, and holidays and will be available for citizens to use. That includes 217 parking stalls on the bottom level of the parking structure, and 65 stalls adjacent to the hotel. Currently, the Big Cottonwood overflow parking lot has 45 stalls, and the turnaround lot at the mouth of the canyon has 91 stalls. So having these additional parking stalls will be a considerable jump. The parking structure plans are

These are draft minutes and are subject to change until approved by the County Council.

Committee of the Whole  
Tuesday, February 13, 2018

construction ready, and Big D has been hired to start March 1. However, it cannot start until the County Council approves the documents.

**Mr. Jason Rose**, Legal Counsel, Council Office, stated today, the Council will need to set the public hearing for February 27, 2018. It could give its consent that day, directly after the public hearing.

**Council Member DeBry, seconded by Council Member Burdick, moved to set a public hearing for February 27<sup>th</sup>, to receive public comment regarding the proposed Canyon Center Community Development Project Area. The motion passed unanimously.**

**Council Member Bradshaw** stated when the Council previously heard this request, there was a discussion about interfacing with public transportation. He asked where that had landed, and if it was the intent that people going up the canyon walk to the current park and ride lot, or whether there would be a closer location.

**Mr. McCandless** stated presently, there is an existing Utah Transit Authority (UTA) parking lot about 600 feet away. People who park at the project would just have to walk to 7000 South, which is not very far. The city of Cottonwood Heights, the Utah Department of Transportation, and UTA are asking for a pull out onto Wasatch Boulevard at the entrance of the project, which means there would just be a 50-foot walk to Wasatch Boulevard to get on a bus heading south.

**Council Member Wilson** stated parking accommodations will be a great benefit, but the key will be to simplify this.

**Mr. McCandless** stated people are parking on the subdivision streets now. Considering how far away that is, they will not mind walking this distance.

**Council Member Wilson** stated the impact on the canyons is on weekends and on powder days, and that is not going to get better long-term. However, this is a step forward to improving it over the next few years.

**Mr. McCandless** stated there are 80 parking stalls in the parking structure that will be available 24/7. There will be a sign hanging that says "recreationists only." Having the additional parking will enable people to take a mass transportation option up the canyons. It is part of the solution, but it will take many solutions to fix the transportation problems. Then, if in the future, not all of the parking stalls for rooms are used, they can be modified and public parking increased. The idea is to not waste anything.

◆◆◆ ◆◆◆ ◆◆◆ ◆◆◆ ◆◆◆

Council Representation on Boards and Commissions ([2:58:34 PM](#))

These are draft minutes and are subject to change until approved by the County Council.

Committee of the Whole  
Tuesday, February 13, 2018

**Council Member Newton** stated the Council needs to address how many Council seats are vacant on the various boards. She asked Council Members to consider which boards they would like to serve on and the issue will be on the agenda in two weeks. In addition, the Council should consider a process by which appointments are made. She reviewed a list of all boards on which Council Members serve. She received feedback from executives of various boards and board members from other municipalities. They are okay with the County having as many positions as it sees fit. They only asked that board members come to the majority of the meetings so there is no quorum problem.

➤ *Unified Police Department (UPD)*

One Council Member and the Mayor.

**Council Member Newton** stated the UPD interlocal agreement calls for the Mayor and a Council Member on the board. However, the County Mayor has resigned from the board. She asked if the Council wants to put two Council Members on the board until the Mayor can re-engage on that board. If the spot is vacant, it will not count toward a quorum.

**Council Member Jensen** stated he did not know how a vacant position would not count towards a quorum.

**Mr. Jason Rose**, Legal Counsel, Council Office, stated the interlocal agreement would have to be amended in order to change the quorum requirements.

**Mr. Harry Souvall**, Chief Legal Counsel, Unified Police Department, stated the UPD interlocal agreement states what the membership of the board will be. It started with two Council Members and the Mayor, but as areas incorporated, the Council spots were reduced to one. The question is whether the Mayor's seat gets filled or not. There is a provision in the agreement that states if there is a resignation or a vacancy for any reason, the body that appointed the person shall appoint a replacement to fill the unexpired term. If the seat remains vacant, it would still count toward a quorum. In talking with the District Attorney, there is a potential separation of powers issue because the vacancy is the Mayor. He believes the replacement has to be an elected official. Other than that the board is not in a position to say who fills the spot.

**Council Member Newton** asked if the Council decided to appoint two Council Members whether the board would honor that.

**Mr. Souvall** stated the board was split six to six on that issue. If two Council Members were appointed, the board would have to deal with it, but no clear decision has been made.

**Mr. Ralph Chamness**, Deputy District Attorney, stated he did not believe the interlocal agreement could be interpreted as saying two Council Members could be appointed

These are draft minutes and are subject to change until approved by the County Council.

Committee of the Whole  
Tuesday, February 13, 2018

by the Council. The Mayor was not appointed by the Council. The body that appointed the Mayor is the electorate. It may be able to be any other countywide elected official.

**Council Member Newton** asked whose decision that would be.

**Mr. Chamness** stated that is not clear. Currently, discussions are underway.

**Council Member Newton** stated Council Member Bradley serves on this board and he intends to stay.

**Mayor Ben McAdams** stated with townships coming on, he felt it was appropriate for the Mayor to step back. He would have preferred that a deputy mayor represent him on the board, but it has to be an elected official. He understood the legal analysis that it needs to be someone elected by the same footprint as the Mayor. He will look at eligible people and make recommendations.

**Council Member Newton** stated the Mayor and District Attorney will work to figure this out.

**Council Member Wilson** stated it would be in the best interest of the County to have a Deputy Mayor. That practical solution would best serve everyone.

**Mr. Souvall** stated the agreement does not say it must be an elected official, but rather that it is each entity represented by a Mayor or Council Member, all of which are elected officials. He feels it has to be someone elected by the public because UPD is spending public funds.

**Council Member Jensen** stated the reason they have to be elected officials is because both UPD and UFA have boards and additional boards for the service district. The membership is the same and one needs to be an elected official to serve on the district boards.

**Council Member Wilson** asked why.

**Mr. Chamness** stated because it is a statutory regulation.

**Council Member Newton** stated she liked the idea that an elected official is held accountable by the people if they are spending public funds.

**Mr. Souvall** stated UPD is funded in different ways. It performs services under the County funds because those were statutorily provided by the Sheriff. UPD spends approximately \$17 million in County funds for County services. That is another reason why the Mayor was specifically designated on the board because of that level of expenditure.

These are draft minutes and are subject to change until approved by the County Council.

Committee of the Whole  
Tuesday, February 13, 2018

**Council Member Burdick** stated the Council wants to fill the vacancy and that needs to get done, but it also seems the Council needs to amend the interlocal so this problem will not arise again. He asked what it would take to amend the interlocal agreement.

**Mr. Souvall** stated it takes a majority vote of the UPD board plus approval by all member entities. The question of whether a non-elected person could be appointed is in part a legal issue. He and the District Attorney would want to look into it because it is a significant issue.

**Council Member Newton** stated with new legislation being proposed, perhaps that will give the County a chance to amend the agreement.

**Council Member Jensen** asked why the Mayor needs to be replaced by someone at-large.

**Mr. Chamness** stated because the agreement talked about “the body” that appointed the Mayor. The interpretation is that the body that appointed the Mayor was the citizens of Salt Lake County acting as the whole.

**Mr. Souvall** stated it actually fits every other vacancy clearly except this one.

➤ *Salt Lake Valley Law Enforcement Service Area (SLVLESA)*

Three elected officials.

**Council Member Newton** stated the Mayor has resigned from this board. Council Members Bradley and Burdick currently serve. She asked Council Members to consider serving on this board and it will be discussed in two weeks.

➤ *Greater Salt Lake Municipal Services District (GSLMSD)*

One Council Member.

**Council Member Newton** asked if this seat should be on a yearly rotation.

**Council Member Snelgrove** stated he is currently serving on the GSLMSD board and it required a lot of time and work to get the organization started. Going forward he did not anticipate it being so intense. He felt there should be some alternating representation, especially among Council Members who represent the area of the Metro Townships. He is willing to serve another year on the board.

➤ *Unified Fire Authority (UFA)/Unified Fire Service Area (UFSA)*



These are draft minutes and are subject to change until approved by the County Council.

Committee of the Whole  
Tuesday, February 13, 2018

Three elected officials. Possible legislation may change the County's representation to "up to three" elected officials.

**Council Member Newton** stated the Mayor has resigned from both boards. She asked Council Members to think about serving. Council Member Granato is ready to rotate off the board. These board meetings are held back to back. She asked if the legislation changed whether the Council would still want three representatives on the board.

**Council Member Jensen** stated lowering the County's representation by one does not change the quorum. There was a reason the County started with three seats and he thought the County should stick with it. He also noted that "elected official" does not need to be Council Member; it can be any countywide elected official.

➤ *Wasatch Front Waste & Recycling District (WFWRD)*

Two elected officials. Council Members Bradley and Wilson currently serving.

**Council Member Newton** stated having two positions on the board was a good thing. She asked if Council Member Wilson was willing to continue.

**Council Member Wilson** stated she would be happy to continue to serve or to switch around in the future if someone else wanted the spot.

➤ *Process*

**Council Member Newton** asked what kind of process for filling board positions the Council would like to adopt.

**Council Member Jensen** stated the current process has worked and he did not think it needed to change. If someone wants to serve, they can do so until they want to resign or another Council Member wants the seat.

**Council Member Wilson** stated the natural time to review board membership is when new members join the Council. Every board is unique and having someone serve for a longer time is good for consistency. She would prefer to continue the same process. She never felt she did not have the opportunity to move onto a board she was interested in.

**Ms. Anna Vukin-Chow**, Mayor's Office, stated she handles all boards and commissions for the Mayor's Office and would be happy to help the Council in any way she could.

◆◆◆ ◆◆◆ ◆◆◆ ◆◆◆ ◆◆◆

Council Tax Administration Director ([3:29:35 PM](#))

These are draft minutes and are subject to change until approved by the County Council.

Committee of the Whole  
Tuesday, February 13, 2018

**Council Member Newton** stated the Council Tax Administration Director position is opening due to the retirement of Liz Fehrmann on April 1, 2018. The Council received several applications, which were screened by Human Resources. The Council Executive Committee recommends offering the job to Brad Neff.

**Council Member Jensen, seconded by Council Member Bradshaw, moved to approve the selection of Brad Neff as the new Council Tax Administration Director, and forward the matter to the 4:00 p.m. Council meeting for ratification. The motion passed unanimously.**

◆◆◆ ◆◆◆ ◆◆◆ ◆◆◆ ◆◆◆

#### **CONSENT AGENDA** ([4:04:12 PM](#))

##### Board Appointments

Mayor Ben McAdams submitted a letter requesting the Council's advice and consent to the reappointment of **Tolford Young** as a member of the Mountainous Planning District Planning Commission to serve a three-year term. His term will begin February 13, 2018, and end December 8, 2020.

**Council Member Bradshaw, seconded by Council Member Jensen, moved to approve the appointment and forward it to the 4:00 p.m. Council meeting for ratification. The motion passed unanimously.**

◆◆◆ ◆◆◆ ◆◆◆ ◆◆◆ ◆◆◆

##### Resolutions

The Council reviewed the following resolutions and agreements. The resolutions authorizing execution of the agreements have been placed on the Council agenda for final approval and execution:

##### *Resolutions and Interlocal Agreements*

*West Jordan City* regarding the transfer of Corridor Preservation Funds for the acquisition of property for transportation purposes. Salt Lake County will transfer \$122,838.56 from its Corridor Preservation Fund to West Jordan City to acquire property needed to widen 7000 South.

*Salt Lake City* regarding the transfer of Transportation Funds for highway construction, reconstruction, or maintenance projects. Salt Lake County will transfer \$500,000 from its Transportation Fund to Salt Lake City for the construction of bike infrastructure along 900 South between 950 East and 1300 East.

These are draft minutes and are subject to change until approved by the County Council.

Committee of the Whole  
Tuesday, February 13, 2018

*Resolution and Quit Claim Deed*

Declaring property located at 2407 East 4500 South, Holladay (Parcel No. 22-03-252-021) as surplus and selling it to adjacent property owner *Dieter Nicholas Holstein* for \$3,540.00.

**Council Member Bradshaw, seconded by Council Member Jensen, moved to approve the resolutions and forward them to the 4:00 p.m. Council meeting for ratification. The motion passed unanimously.**

◆◆◆ ◆◆◆ ◆◆◆ ◆◆◆ ◆◆◆

Tax Matters

The Council reviewed the tax matters, which will be placed on the Council agenda for ratification.

**Council Member Bradshaw, seconded by Council Member Jensen, moved to approve the tax matters and forward them to the 4:00 p.m. Council meeting for ratification. The motion passed unanimously.**

◆◆◆ ◆◆◆ ◆◆◆ ◆◆◆ ◆◆◆

Review of Deposits and Investments

**Mr. K. Wayne Cushing**, County Treasurer, submitted a letter requesting approval of the Report of Deposits and Investments for Salt Lake County as of December 31, 2017, to be filed with the Utah Money Management Council.

**Council Member Bradshaw, seconded by Council Member Jensen, moved to approve the request and forward it to the 4:00 p.m. Council meeting for ratification. The motion passed unanimously.**

◆◆◆ ◆◆◆ ◆◆◆ ◆◆◆ ◆◆◆

Mayor's Community Contribution

These are draft minutes and are subject to change until approved by the County Council.

Committee of the Whole  
Tuesday, February 13, 2018

The Council reviewed the request to contribute \$2,500 to ChamberWest in exchange for two tables at its 2018 Gala to be held on February 21, 2018, at the Maverik Center.

**Council Member Bradshaw, seconded by Council Member Jensen, moved to approve the request and forward it to the 4:00 p.m. Council meeting for ratification, and found the County received fair and adequate consideration for the contribution. The motion passed unanimously.**

◆◆◆ ◆◆◆ ◆◆◆ ◆◆◆ ◆◆◆

Other Business

*Cancellation of Meeting*

**Council Member Bradshaw, seconded by council Member Jensen, moved to cancel the February 20, 2018, Committee of the Whole and Council meetings. The motion passed unanimously.**

- - - - -

*Approval of Minutes*

**Council Member Bradshaw, seconded by Council Member Jensen, moved to approve the minutes of the Salt Lake County Committee of the Whole meeting held on January 30, 2018. The motion passed unanimously.**

◆◆◆ ◆◆◆ ◆◆◆ ◆◆◆ ◆◆◆

The meeting was adjourned at [3:29:42 PM](#).

---

Chair, Committee of the Whole

---

Deputy Clerk

These are draft minutes and are subject to change until approved by the County Council.

Committee of the Whole  
Tuesday, February 13, 2018

◆◆◆ ◆◆◆ ◆◆◆ ◆◆◆ ◆◆◆  
◆◆◆ ◆◆◆ ◆◆◆ ◆◆◆ ◆◆◆  
◆◆◆ ◆◆◆ ◆◆◆ ◆◆◆ ◆◆◆